

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

ROBERT ALVAREZ ET AL.

Serial No. 08/964,518 (TI-19177)

Filed November 5, 1997

For: STABILIZER/SPACER FOR SEMICONDUCTOR DEVICE

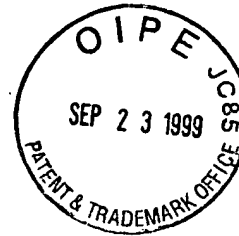
Art Unit 2811

Examiner A. Williams

Assistant Commissioner for Patents

Washington, D. C. 20231

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REPLY BRIEF

This Reply Brief is in reply to the Examiner's Answer.

It is initially noted that a Petition was filed prior to filing the Brief on Appeal requesting entry of an amendment filed after final rejection and refused entry. No response to this Petition has been received to date. Though the unentered amendments were generally cosmetic in nature as will be apparent from the argument presented hereinbelow and probably will have little or no effect on the result of this appeal, the fact is that the wording of the claims will be changed if the Petition is granted. It is further clear that the basis of the Petition is accurate, otherwise the Examiner's Answer would have had to provide alternate arguments, one for the claims as presented prior to final rejection and one for the claims as presented after final rejection.

With reference to the Examiner's "Response to Argument", the law is very clear in requiring that the structure and function as claimed must be contained in a single reference without speculation or the like when the rejection is based on 35 U.S.C. 102(b).

Claim 1, for example, both prior to and subsequent to final rejection, requires a stabilizer to improve leadframe planarity. This is accomplished by having the stabilizer support the entire terminal portion of each of the leads (36, 37, 38, 39 of Fig. 5, for example). No such structure is found in Hojyo. The rectangle 14 of Hojyo is formed from a resin and is apparently formed around the leadframe leads to hold the leads in place. Nothing is mentioned in Hojyo about leadframe planarity and it is clear that the purpose of the rectangle 14 can not be to improve leadframe planarity. Note that the leadframe leads of Hojyo are under the rectangle 14 and the ends of the leads are not supported by anything. Hence, there can be no provision for planarity. It follows that this feature of claim 1 is not taught by Hojyo.

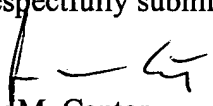
Claim 1 further requires, both prior to and subsequent to final rejection, a die pad mount integral with and forming a part of the stabilizer disposed beneath the central semiconductor die-receiving region for retaining a semiconductor die thereon. No such structure is found in Hojyo. Note in Hojyo that the die-receiving region or die pad 11 is separate from the rectangle 14, not integral as required by claim 1.

Language similar to that of claim 1 is found in claims 6 and 10 and, accordingly, the same arguments as set forth above apply.

All other claims depend from one of the above mentioned claims and therefore define over Hojyo for the reasons set forth above as well as for the reasons presented in the Brief on Appeal.

For the reasons set forth above and in the Brief on Appeal, it is clear that the claims herein, both prior to and subsequent to final rejection, define patentably over Hojyo. Accordingly, the final rejection should be reversed that justice be done in the premises.

Respectfully submitted,



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